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RHEFDIA/DIA WASHDC  
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C O N F I D E N T I A L SECTION 01 OF 02 BANGKOK 000633

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SUBJECT: THAIS SELECT AND PREPARE TO ELECT A NEW SENATE

REF: BANGKOK 84 (SENATE SELECTION BEGINS)

Classified By: Political Counselor Susan Sutton, reason 1.4 (b) and (d)

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#### SUMMARY

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1. (SBU) A committee has completed its selection of 74 of the 150 Senators in the country's semi-elected upper house of Parliament, following a review of over 1,000 nominations. Elections scheduled for March 2 will fill the remaining 76 seats in a body designed to review legislation passed by the fully-elected lower house. The selected Senators represent a broad range of professions, with lawyers, academics, retired military personnel, and ex-bureaucrats heavily represented. There are 487 candidates competing in the March 2 Senate elections, although low turnout in February 23-24 advanced voting may be indicative of voter apathy. There have been few allegations of vote-buying, which have plagued prior Senate elections. While the constitution's framers may hope the Senate will be non-partisan, it remains to be seen how the new Senators will ultimately vote and what kind of dynamic will be created inside the unprecedented semi-elected body. End summary.

#### COMMITTEE COMPLETES SENATE SELECTION

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2. (U) On February 19, the Election Commission of Thailand (ECT) formally endorsed a diverse group of 74 individuals to serve as Senators in the 150-seat semi-elected upper house of Parliament. A seven-person Senate selection committee composed of leading Thai jurists and the heads of independent government agencies selected the group following a month-long review of 1,087 Senate nominations (reftel). In addition to the 74 selected Senators, the constitution calls for each of the country's 76 provinces to elect one Senator to the upper house of parliament in March 2 elections.

#### A MOTLEY CREW

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3. (U) The selected Senators represent a wide range of professions, although many are former bureaucrats. Of the 74 selected Senators, 62 are men, while 12 are women; they reportedly range from 43 to 73 years of age. The appointed

Senators represent a broad range of professions, including at least 16 academics, 16 lawyers and former legislators, eight health professionals, eight journalists, and four former local government officials. Business leaders, accountants, and at least one farmer were also selected. Eight members of the National Legislative Assembly, an interim body appointed by the leaders of the September 2006 coup d'etat, received Senatorial appointments. At least 14 appointed Senators had reportedly served in the armed services and Royal Thai Police, although the constitution prohibits the selection of active-duty personnel and civil servants.

¶4. (SBU) Observers noted that several very well-known candidates failed to garner an appointment. Among them were notable anti-Thaksin activists, renowned business leaders and academics, and prominent retired bureaucrats. Some activists criticized the committee for failing to appoint more civil society and NGO leaders. At the same time, other groups reportedly criticized two outspoken civil rights activists for accepting a position given in a "non-democratic" manner. Following the ECT's endorsement, complaints were filed against several of the selected Senators, alleging they did not legally qualify for selection or had other issues in their backgrounds. On February 23, the ECT announced it would review these complaints and issue a ruling on their validity.

¶5. (C) Comment: The decision to revert to the selection of part of the Senate was among the most controversial elements in the 2007 constitution. The constitutional framers envisioned a non-partisan Senate to provide a second look at laws passed by the lower house, and the Senate selection committee appears to have selected mostly retired bureaucrats

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and experienced lawyers to fill this role. While it remains to be seen how these 74 appointed Senators will vote on the issues, on the whole the Senate selection committee appears to have spurned extremely controversial or polarizing figures. End comment.

THAI VOTERS RETURN TO THE POLLS  
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¶6. (U) The ECT has scheduled elections on March 2 to fill the remaining 76 seats in the Senate. Each of Thailand's 76 provinces will elect one Senator to serve a six-year term. There are 487 candidates registered to compete in elections throughout the country. In Bangkok, the country's most populous Senate district, 35 candidates have registered, while in southern Phang Nga Province, only one candidate has registered and is running unopposed. The ECT will reportedly announce unofficial results by 9:00 p.m. local time on March 12.

¶7. (U) On February 25, the ECT announced that 1.27 million voters had cast ballots throughout the country on February 23-24 ahead of the planned March 2 Senate elections (approximately 3 percent of the electorate). This number includes voters, mostly in Bangkok, who cast absentee votes for candidates running in other provinces, as well as individuals who are unable to vote in their home precincts on March 2 (such as poll workers). Turnout for advanced voting was dramatically lower than for advance voting prior to the December 23 election for the lower house of Parliament, when nearly 3 million voters cast their votes in advance. An Election Commissioner reportedly speculated that the low turnout resulted from voter frustration that Senators in populous provinces represented many more people than Senators in less-populated provinces. Other ECT officials blamed the low turnout on voter apathy. The ECT reportedly urged local officials to retool their get-out-the-vote campaign to meet a turnout of 70 percent. (Note: Turnout in the December 23 elections exceeded 70 percent, but few expect similar turnout in the Senate elections. End note.)

18. (C) Comment: This is only the third time in history that Thais will elect Senators. (Prior to the promulgation of the 1997 constitution, all Thai Senators were appointed.) Critics of the fully-elected Senate under the 1997 constitution derided the so-called "husbands and wives chamber" after a number of spouses of representatives in the lower house were elected Senators in 2006. Although strict election laws are designed to reduce the influence of political parties and relatives of representatives, it remains to be seen whether these laws will achieve their intent, or how elected Senators will get along with their non-elected colleagues. There have been relatively few public allegations of vote-buying ahead of the Senate elections, although vote-buying has been a problem in previous Senate elections and accusations may still surface. End comment.  
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